

Karen
2/22/16

Wetlands Bureau Decision Report

Decisions Taken
02/15/2016 to 02/21/2016

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at appeals@des.nh.gov. The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

MAJOR IMPACT PROJECT

2014-01053 NH DEPT OF TRANSPORTATION
PORTSMOUTH Piscataqua River

Requested Action:

Request to amend the permit to include temporary impacts of an additional 900 sq. ft. of tidal buffer zone and 3,500 sq. ft. of estuarine wetlands for the re-setting of the unpermitted culverts in order to comply with the NH Dept. of Environmental Services Land Management Letter of Deficiency #15-032 dated September 15, 2015.

Conservation Commission/Staff Comments:

-USACOE Hearing held June 30, 2014

-Cons. Comm. notes there is a significant public interest in bridge replacement and strongly suggests mitigation to occur in the immediate vicinity of the project.

Inspection Date: 09/19/2013 by Gino E Infascelli

APPROVE AMENDMENT:

AMEND the permit to read:

Construct a new 2,631 ft. bridge over the Piscataqua River with a major lift span system and 1,554 ft. of approaches including the construction of five temporary causeways and temporary trestles from the NH shore to the NH lift span pier along with a fender protection system and the relocation of the railroad impacting 105,630 sq. ft. (57,629 sq. ft. temporary) of the tidal buffer zone, estuarine and palustrine wetlands. The existing bridge will be removed and the existing foundations are proposed to be removed at various locations. Compensatory mitigation includes a one-time payment of \$351,895.87 to the Aquatic Resource Mitigation Fund for permanent impacts and work related to temporary causeways for construction access. NHDOT project #15731.

With Conditions:

1. All work shall be in accordance with plans by McFarland Johnson for NH Dept. of Transportation Bureau of Highway Design dated 01/2014 with Revision Date 7-14-14, as received by the Department on August 14, 2014.
2. The permit is contingent on the issuance of and compliance with a Section 401 Water Quality Certificate and its conditions.
3. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site, at the NHDES Pease Office in Portsmouth, N. H., the NHDES Office in Concord, or the NHDOT Office in Concord, N.H. to review the conditions of this wetlands permit.
4. It shall be the responsibility of the permittee to schedule and coordinate the pre-construction meeting providing at least 5-day notice to the NHDES Wetlands Bureau and / or other Land Resources Management Program staff, and the meeting shall be attended by the permittee, the contract administrator(s), wetlands scientist(s), erosion control monitor, and the contractor(s) responsible for performing the work.
5. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction unless specifically approved.
6. Construction equipment shall not be located within surface waters.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be

stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.

11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Areas cleared of vegetation shall be revegetated as quickly as possible.
12. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation shall be revegetated as quickly as possible.
13. There shall be no further alteration to wetlands, surface waters or tidal buffer zone without amendment of this permit.
14. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
15. The impacts associated with the temporary work shall be restored immediately following construction.
16. Dredging in tidal waters shall be done between November 15 and March 15, and shall not occur during a fish migration or larval setting stage of shellfish.
17. Dredged material to be stockpiled in uplands shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside jurisdiction to prevent water quality degradation.
18. Prior to any impacts in jurisdiction, the applicant shall submit baseline documentation of the area affected by the temporary impacts of the causeways, including the methodology planned to determine the success of those impacts being temporary.
19. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the temporary impact areas are restored. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
20. Materials used for construction of the temporary causeways and trestles shall be removed when they are no longer being used for construction purposes and as soon as site and permit conditions allow.
21. The permittee or a designee shall conduct a follow-up inspection within 60 days of removal to review the temporary impact areas and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second, third and fourth years following the removal in the temporary impact areas.
22. Temporary impact areas shall have at least 75% successful establishment of pre-construction conditions after three (3) growing seasons, or shall be replanted / re-established until the jurisdictional areas are replicated in a manner satisfactory to the DES Wetlands Bureau.
23. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
24. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
25. Any replacement of docking space lost at the Port of NH as a result of this project shall be submitted to DES as a new application including required mitigation.

ADDED CONDITIONS:

26. The amended work to re-set the inverts of the temporary culverts near STA 219 shall be in accordance with:
 - a. Plan sheet 5 of 11 by McFarland Johnson for NH Dept. of Transportation Bureau of Highway Design dated 01/2014 with Revision Date 7-14-14 and further revised on 2/11/16 by K. Chamberlain as received by the Department on Feb. 12, 2016 and
 - b. the Dec. 22, 2015 letter from Maine Dept. of Transportation describing the relocation and resetting of the culverts to allow the exposure of the mudflats during low tide as received by the Department on Feb. 18, 2016.
27. The above amended work shall be completed during the time of work window noted in condition #16 with this phase of work correcting the unpermitted impoundment by March 15, 2016.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in tidal wetlands.
2. Natural Resource Agency meetings were held at the NH Dept. of Transportation (NHDOT) on June 13, 2013, September 18, 2013, January 15, 2014 and March 19, 2014 to coordinate the review and permitting of the project.
3. On May 5, 2014 the New Hampshire Dept. of Environmental Services (DES) received a Dredge and Fill application to: Construct a new 2,631 ft. bridge over the Piscataqua River with a major lift span system and 1,554 ft. of approaches including the construction

of five temporary causeways and temporary trestles from the NH shore to the NH lift span pier along with a fender protection system and the relocation of the railroad impacting 97,651 sq. ft. (51,477 sq. ft. temporary) of the tidal buffer zone and estuarine wetlands. The existing bridge will be removed and the existing foundations are proposed to be removed at various locations. The proposed mitigation is a one-time payment of \$350,285.78 to the Aquatic Resource Mitigation Fund.

4. On July 15, 2014 the DES received a plan modification to include a treatment swale impacting 3,579 sq. ft. (2,099 sq. ft. temporary) of previously disturbed palustrine wetland and tidal buffer zone per amended plans revised 07-14-14. The transmittal memo also noted an adjustment to the proposed in-lieu fee mitigation payment to \$351,895.87 to the Aquatic Resource Mitigation Fund.
5. On August 13, 2014 the DES held a Public Hearing in accordance with RSA 482-A: 8
6. On September 16, 2014 the DES approved the project.
7. On November 26, 2014 the DES received the payment into the Aquatic Resource Mitigation Fund and the permit issued.
8. On August 31, 2015, the DES was notified that that the installation of the temporary culverts was blocking the flow of the tidal cycle.
9. On September 9, 2015, the DES investigated the area and found that the installation of round culverts with varying invert elevations were blocking normal tidal cycle flushing leaving the area ponded during low tide and the two permitted 8 ft. x 8 ft. box culverts were not installed.
10. On September 15, 2015, the DES met with the permittee to discuss the concerns with the construction of the project and issued a Letter of Deficiency noting the failure to comply with the permit as conditioned.
11. On September 28, 2015, the DES received a partial response to the Letter of Deficiency with attachments showing as-built conditions of the south causeway and noting they are gathering information to show there has been no further alteration of wetlands, surface waters or tidal buffer zone.
12. On Oct. 21, 2015, the DES investigated the area with other agencies and found that the installation of the temporary culverts was blocking the flow of the tidal cycle leaving the area ponded during low tide.
13. On Jan. 6, 2016, the DES received a request to amend the permit to lower one culvert between 29 in. and 33 in. and another culvert by 21 in. to mitigate the impoundment of tidal waters. This would temporarily impact additional 3,500 sq. ft. of estuarine wetlands and 900 sq. ft. of tidal buffer zone. The NHDOT requested target date for the amendment was April 2, 2016.
14. On Jan. 12, 2016, the DES received a revised table 2a to clarify the locations and amount of impacts relative to the requested amendment.
15. On Feb. 4, 2016, the NHDOT modified the target date for the amendment to Feb. 15, 2016.
16. On Feb. 12, 2016, the DES received a plan revised dated 2/11/16 which shows the amendment request located on the previously approved plan (revised date of 07-14-14).
17. On Feb. 18, 2016, the DES requested and received a copy of the Dec. 22, 2015 letter from Maine Dept. of Transportation describing the relocation and resetting of the culverts to allow the exposure of the mudflats during low tide.
18. The permit amendment and proper installation of the culverts should resolve the unpermitted impoundment of water on the tidal flats.
19. The proper installation of the culverts shall be completed prior to March 15, 2016.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2015-02519 LAKESIDE TRUST
WOLFEBORO Lake Winnepesaukee

Requested Action:

Relocate 57 sq. ft. of rocks that pose a hazard to swimming or navigation along an average of 722 ft. on Lake Winnepesaukee in Wolfboro.

DENY PERMIT:

Relocate 57 sq. ft. of rocks that pose a hazard to swimming or navigation along an average of 722 ft. on Lake Winnepesaukee in Wolfeboro.

With Findings:

Standards for Approval

1. This project is classified as a minor impact project pursuant to Rule Env-Wt 303.03 (g), dredge of less than 20 cu. yd. of material from the lake bed.
2. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (a), (1), the applicant shall demonstrate the need for the proposed impact by plan and example.
3. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (a), (2), the applicant shall demonstrate by plan and example that the alternative proposed is the one with the least impact to wetlands or surface waters on site.
4. Pursuant to RSA 482-A:2, Definitions, VIII, on Lake Winnepesaukee mean a volume of water 25 ft. long, 8 ft. wide, and 3 ft. deep as measured at normal high water and located adjacent to a structure to which a watercraft may be secured.
5. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (d), (1), the Department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.
6. In accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (d), (3), the Department shall not grant a permit if the project will cause unnecessary destruction of wetlands.

Findings of Fact

1. On September 22, 2015 the Department received an application requesting to relocate boulders that allegedly pose a hazard to swimming and navigation impacting 114 sq. ft. of the bed of Lake Winnepesaukee along the frontage of property identified as Lot 4 on Wolfeboro Tax Map 266.
2. The project involves dredging 57 sq. ft. of material in one location and filling approximately 57 sq. ft. of lakebed in another location.
3. The requested dredge materials are divided into two areas, one of which is 45 sq. ft., located with a slip provided by an approved docking facility, and submerged below more than 3ft. of water depth as measured at normal high water.
4. Rocks within a slip that are submerged under more than 3 ft. of water as measured at normal high water are beneath the depth of a slip as defined in RSA 482-A:2, VIII and therefore not considered a hazard to navigation.
5. On November 25, 2015 the Department issued a Request for More Information to the Applicant requesting that they provide evidence of the need for this 45 sq. ft. area of dredge.
6. On January 25, 2016, the Department received a response to the Request for More Information which stated that the 45 sq. ft. of boulders to be relocated was not a hazard to navigation but rather to swimmers jumping from the adjacent dock.
7. The adjacent docking structure is a "W" shaped facility consisting of three 6 ft. x 36 ft. seasonal piers connected by a 4 ft. x 42 ft. wharf. There is a set of 3 ft. wide stairs from the wharf providing access to the water.
8. The Applicant did not provide any evidence for the need of swimmers to access the water from the docking structure in the requested dredge area rather than from any other portion of the structure.
9. The Applicant did not provide any evidence demonstrating that the proposed dredge was the least impacting alternative method of providing swimming access to the water from this docking structure.

Ruling in Support of the Decision

1. The Applicant failed to shall demonstrate the need for the proposed impact as required pursuant to Rule Env-Wt 302.04, (a), (1), and therefore, the request for a permit is denied in accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (d), (3).
2. The Applicant failed to demonstrate by plan and example that the alternative proposed is the one with the least impact to wetlands or surface waters on site as required pursuant to Rule Env-Wt 302.04, (a), (2), and therefore, the request for a permit is denied in accordance with Rule Env-Wt 302.04, Requirements for Application Evaluation, (d), (1).

MINIMUM IMPACT PROJECT

2015-02742 WILLIAM R ROOP III TRUST
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace a 5 ft. x 14 ft. "T" section, a 4 ft. x 40 ft. seasonal pier, and a 3 ft. x 12 ft. section of deck with a 5 ft. 6 in. x 48 ft. seasonal pier to extend from an existing 12 ft. x 25 ft. deck at the shore and install 2 seasonal boatlifts on an average of 119 ft. of frontage along Lake Winnepesaukee in Moultonborough.

Conservation Commission/Staff Comments:

10/13/2015 Con com investigated the property but it was difficult to assess the project as the current docks were already out of the water. The Con. Com. has no objections as long as a permit is granted for the seasonal boatlift that already existis in the water.
10-20-15- No historic properties affected per DHR.

APPROVE PERMIT:

Replace a 5 ft. x 14 ft. "T" section, a 4 ft. x 40 ft. seasonal pier, and a 3 ft. x 12 ft. section of deck with a 5 ft. 6 in. x 48 ft. seasonal pier to extend from an existing 12 ft. x 25 ft. deck at the shore and install 2 seasonal boatlifts on an average of 119 ft. of frontage along Lake Winnepesaukee in Moultonborough.

With Conditions:

1. All work shall be in accordance with revised plans by Watermark Marine Construction dated January 7, 2016, as received by DES on January 11, 2016.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permitted shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A . 8. Any subdivision of the property will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
10. No portion of the pier shall extend more than 57.5 feet from the shoreline at full lake elevation (Elev. 504.32).
11. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a 2 slip seasonal docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2016-00382 POND ASSOCIATES INC
SALISBURY Unnamed Stream

COMPLETE NOTIFICATION:
Salisbury, Tax Map #210, Lot #17

2016-00389 NEW ENGLAND FLOWER FARMS LLC
CHICHESTER Unnamed Stream

Requested Action:
Chichester, Tax Map #10, Lot #28

2016-00391 MICHALSKI, DIANE
WOLFEBORO Unnamed Stream

COMPLETE NOTIFICATION:
Wolfeboro, Tax Map #167, Lot #28

2016-00393 GREEN CROW CORP
SALISBURY Unnamed Stream

COMPLETE NOTIFICATION:
Salisbury, Tax Map #247, Lot #6

2016-00395 CHADWICK, VIRGINIA
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford, Tax Map #20, Lot #59

2016-00408 BEYE, HANNAH GILE
DEERFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Deerfield, Tax Map #409, Lot #54

2016-00409 KRAUSE, EMELYN
BARNSTEAD Unnamed Stream

Requested Action:

Barnstead, Tax Map 8, Lot 42

2016-00413 SPEAR, SYLVIA
CONCORD Unnamed Stream

COMPLETE NOTIFICATION:

Concord, Tax Map #123, Lot #18, Block 1

2016-00424 HUDGENS, MARJORIE/THOMAS
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:

Canaan, Tax Map #3, Lot #15-1 & 15-2

EXPEDITED MINIMUM

2015-01980 TOWN OF SWANZEY
SWANZEY Falls Brook

Requested Action:

Dredge and fill 5,035 sq. ft. (including 135 linear ft.) of perennial stream to replace a 4' diameter corrugated metal pipe (Tier 3 crossing Falls Brook) with a 26' steel stringer bridge and restore downstream stream banks and floodplain to pre-structure conditions.

APPROVE PERMIT:

Dredge and fill 5,035 sq. ft. (including 135 linear ft.) of perennial stream to replace a 4' diameter corrugated metal pipe (Tier 3 crossing Falls Brook) with a 26' steel stringer bridge and restore downstream stream banks and floodplain to pre-structure conditions.

With Conditions:

1. All work shall be in accordance with plans by Trout Unlimited, Inc. titled Falls Brook Restoration Project at Hale Hill Road dated February 2016, as received by the Department on February 8, 2015.
2. Work shall be done during low flow.
3. Work within the stream, inclusive of work associated with installation of a cofferdam and temporary access, shall be limited to periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has

returned to normal clarity.

6. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the waters.
8. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Areas of temporary impact shall be restored to original conditions following the completion of work.
11. Materials used to emulate a natural stream channel surface must be rounded, smooth stones similar to the natural stream substrate and shall not include angular rip-rap.
12. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A monitoring report shall be submitted to DES within 30 days of completion of the crossing.
13. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
17. Faulty equipment shall be repaired prior to construction.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
22. Where construction activities have been temporarily suspended within the growing season, all exposed areas shall be stabilized within 14 days by mulching and seeding.
23. Where construction activities have been suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
24. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum impact project per 303.04 (t), Restoration of an altered or degraded wetlands provided the project: (1) Receives financial support and direct supervision of a New Hampshire state agency, the US Environmental Protection Agency, the US Army Corps of Engineers, the US Natural Resources Conservation Service, or the US Fish and Wildlife Service; (2) Shall not be used to perform restoration in cases where the applicant is subject to a removal or restoration order; (3) Is not located in or adjacent to prime wetlands; and (4) Does not meet the criteria of Env-Wt 303.02(k).
2. The watershed area contributing to the crossing location is 2,752 acres (4.3 mi²) and categorized as a Tier 3 stream crossing, although the project receives financial support and direct supervision by the New Hampshire ARM Fund.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing crossing poses a barrier to fish passage, has limited geomorphic compatibility, and limited flood resiliency.
4. The intent of the project is to reconnect over 10 miles of upstream habitat and result in over 20 miles of interconnected high quality habitat within the downstream river network for wild, native brook trout. The agent indicated that if the existing culvert is left in place, fish passage will continue to be impeded and the road and adjacent properties will be more prone to flooding and infrastructure change.
5. The culvert is currently not passable by some fish species moving upstream, and Falls Brook has been documented to be an

important spawning area for wild brook trout in this part of the Ashuelot River watershed.

6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The design footprint is the minimum practicable.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
8. The applicant indicated the proposed structure has been designed to facilitate aquatic organism passage.
9. Hydraulic modeling (HEC-RAS) of the proposed crossing indicates the proposed structure was designed to accommodate the 100-year storm event with over 1' of freeboard.
10. The average bankfull width at the crossing was determined by the applicant to be 18 feet.
11. The existing structure consists of a 4 ft. diameter corrugated metal pipe culvert.
12. The proposed structure maintains a conveyance width of 26-feet using a steel stringer bridge.
13. The stream was classified by the agent as a Rosgen Type E5.
14. The applicant has confirmed that there are no anticipated impacts to downstream infrastructure.
15. The new stream bed has been designed according to the USFS stream simulation methodology (2008). The agent indicated streambed material is similar to material found in the upstream reference reach and is consistent with the USFS Stream Simulation Method for replacement and upgrades of road-stream crossings. The applicant has provided a copy of the sediment mobility analysis.
16. The applicant has addressed the General Administrative Design Consideration for stream crossing in accordance with Administrative Rule Env-Wt 904.01.
17. The replacement structure was designed in accordance with Administrative Rule Env-Wt 904.05 to the maximum extent practicable.
18. The project plans have been stamped by a New Hampshire Licensed Professional Engineer ("PE").
19. The project is located within the 100-year floodplain and includes construction of a floodplain bench located at an elevation just above the 2-year storm event for proposed conditions, to provide flow velocity attenuation during storm events that lead to out-of-bank flows. Stream banks located downstream of the existing culvert which have experienced significant erosion will be restored to what is thought to be pre-structure conditions.
20. The applicant has provided written permission for proposed work operations located within 20 feet of abutting properties.
21. The New Hampshire Natural Heritage Bureau (NHB) review for Notification or Minimum Expedited applications indicated there are no recorded occurrences for sensitive species near the project area per letter dated June 2, 2015.
22. DES has not received any abutter or public comments in objection to the proposed project.
23. The municipal Conservation Commission has signed the Minimum Expedited application.
24. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2016-00160 BMI REALTY TRUST
DEERFIELD Unnamed Wetland

Requested Action:

Proposal to dredge and fill 400 square feet of wetland including installation of an 12 in. x 30 ft. long CMP culvert to construct a driveway to access one lot in the subdivision of 44.215 acres, lots 45-8 and 45-9, for a five lot single-family subdivision and one open space conservation lot.

APPROVE PERMIT:

Dredge and fill 400 square feet of wetland including installation of an 12 in. x 30 ft. long CMP culvert to construct a driveway to access one lot in the subdivision of 44.215 acres, lots 45-8 and 45-9, for a five lot single-family subdivision and one open space conservation lot.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants, Inc. dated November 16, 2015 as received by the NH Department of Environmental Services (DES) on February 1, 2016.

2. This permit is not valid unless subdivision approval/septic system construction approval or other compliance with RSA 485-A:29-44 and Env-Wq 1000 is achieved.
3. No tree clearing shall be done between April and October unless applicant/owner receives written approval by the US Fish and Wildlife Service. A copy of the written approval shall be submitted to DES and the ACOE prior to tree clearing.
4. Prior to work on the property, the applicant/owner shall retain a qualified professional to conduct a review of the property to determine if the Federally-threatened Small Whorled Pogonia is present. The applicant/owner shall provide a written report of the determination to DES, ACOE and USFWS prior to any work on the property.
5. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. Work shall be done during low flow.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet in swamps and wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant has demonstrated that wetland impact is necessary to access buildable uplands.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The applicant has demonstrated that the crossing is located at the most narrow portion of the wetlands.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Natural Heritage Bureau ("NHB") has no record of sensitive species within the project vicinity.
6. The US Fish and Wildlife Service has identified the federally threatened Small whorled pogonia and the Northern long-eared bat within the vicinity of the project. The applicant/owner has agreed to restrict tree cutting on the property to specified times of year to minimize impacts to the Northern long-eared bat and will retain a qualified professional to evaluate the property for the presence of Small whorled pogonia before any work commences.
7. The Deerfield Conservation Commission signed the application recommending approval.

2016-00207 **BELMONT, TOWN OF**
BELMONT **Unnamed Brook**

Requested Action:

Proposal to redge and fill 2,300 sq. ft. of wetlands and intermittent stream for reconstruction of 7,500 linear ft. of Ladd Hill Road to Union Road. Work includes roadway grading, paving and stormwater drainage improvements. Work in jurisdiction includes

side-slope grading, headwall construction, replacement of an existing 30 in. x 65 ft. RCP culvert with a 42 in. x 76 ft. RCP culvert, associated stream bed grade improvements, headwalls and replacement of an existing 24 in. x 35 ft. RCP culvert with 24 in. x 50 ft. RCP culvert.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE PERMIT:

Dredge and fill 2,300 sq. ft. of wetlands and intermittent stream for reconstruction of 7,500 linear ft. of Ladd Hill Road to Union Road. Work includes roadway grading, paving and stormwater drainage improvements. Work in jurisdiction includes side-slope grading, headwall construction, replacement of an existing 30 in. x 65 ft. RCP culvert with a 42 in. x 76 ft. RCP culvert, associated stream bed grade improvements headwalls and replacement of an existing 24 in. x 35 ft. RCP culvert with 24 in. x 50 ft. RCP culvert.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers dated December 2015 as received by the NH Department of Environmental Services (DES) on January 21, 2016.
2. The Town shall obtain temporary construction easements or written agreements from affected landowners with work in jurisdiction on their property. Copies shall be supplied to DES Wetlands Bureau File No. 2016-00207 prior to construction.
3. Materials used to emulate a natural stream channel surface at must be rounded, smooth stones similar to the natural stream substrate and shall not include angular rip-rap (note: underlying fill can be angular rip-rap).
4. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
6. The temporary cofferdam shall be entirely removed within 2 days after work within the cofferdam is completed and water has returned to normal clarity.
7. Work shall be done during low flow and in the dry only.
8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Extreme precautions shall be taken within riparian areas to prevent unnecessary removal of vegetation during construction. Areas cleared of vegetation must be revegetated with like native species within three days of the completion of the disturbance.
13. No excavation shall be done in flowing water. No construction equipment shall be operated in flowing water.
14. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
15. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
16. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
18. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Phragmites. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

20. Where construction activities occur between November 30 and May 1, all exposed soil areas shall be stabilized within 1 day of establishing the grade that is final or that otherwise will exist for more than 5 days. Stabilization shall include placing 3-inches of base course gravels, or loaming and mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant and Env-Wt 303.04(ah) Any project that includes any new stream crossing which qualifies as minimum impact under Env-Wt 903.01(e) and Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project includes one intermittent stream crossing upgrade (Tier 1, 80 acres) that is severely perched on the outlet.
6. The applicant has included instream work to address the perched condition.
7. The applicant's agent indicated that the proposed culvert will accommodate the 100-year storm event.
8. The NHDES Alteration of Terrain Bureau reviewed the proposed stormwater improvements.
9. The department has not received any abutter or public comments in objection to the proposed project.

GOLD DREDGE

2016-00376 SPAULDING, JAMES
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2016-00394 BALLARD, DALE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con. Comm.

2016-00421 MATHESON, FREDERICK
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Con. Com.

2016-00423 ARMSTRONG, WALLY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Con. Com.

2016-00427 HEBER, PETER
(ALL TOWNS) Unnamed Stream

LAKES-SEASONAL DOCK NOTIF

2016-00383 HEATH, SCOT
FRANCESTOWN Scobie Pond

Requested Action:
Install a seasonal docking structure.

COMPLETE NOTIFICATION:
Install a seasonal docking structure.

2016-00405 BUONFIGLIO, VICTOR
FREEDOM Ossipee Lake

Requested Action:
Installation of a seasonal docking structure.

COMPLETE NOTIFICATION:
Installation of a seasonal docking structure.

PERMIT BY NOTIFICATION

2016-00220 GEORGE, GREGORY
NORTHWOOD Northwood Lake

Requested Action:
Repair/replacement of the existing retaining walls shall be performed "in the dry" resulting in no change in height, length, location or

configuration; refaced surfaces shall not exceed 6 inches in width. Maintenance/repair in-kind of existing breakwater provided no change in location, configuration, construction type or dimensions is proposed in accordance with plans submitted to the Department on February 12, 2016.

PBN IS COMPLETE:

Repair/replacement of the existing retaining walls shall be performed "in the dry" resulting in no change in height, length, location or configuration; refaced surfaces shall not exceed 6 inches in width. Maintenance/repair in-kind of existing breakwater provided no change in location, configuration, construction type or dimensions is proposed in accordance with plans submitted to the Department on February 12, 2016.

2016-00281 LAKEVIEW LOT OWNERS ASSOC
OSSIPEE Ossipee Lake

Requested Action:

Replenishment of sand on an existing beach, provided no sand shall be placed below the high water line or full pond elevation and no more than 10 cubic yards of sand shall be used in accordance with plans dated January 10, 2016.

PBN IS COMPLETE:

Replenishment of sand on an existing beach, provided no sand shall be placed below the high water line or full pond elevation and no more than 10 cubic yards of sand shall be used in accordance with plans dated January 10, 2016.

-Send to Governor and Executive Council-

2016-00285 POLCARI, GERARD/NANCY
MEREDITH Lake Winnepesaukee

Requested Action:

Construction of a seasonal dock anchoring pad and installation of a seasonal 6' x 40' dock (with no more than 2 slips, including previously existing slips), a seasonal boatlift and two seasonal watercraft lifts, in non-tidal waters in accordance with plans by Watermark Marine Construction dated January 26, 2016.

PBN IS COMPLETE:

Construction of a seasonal dock anchoring pad and installation of a seasonal 6' x 40' dock (with no more than 2 slips, including previously existing slips), a seasonal boatlift and two seasonal watercraft lifts, in non-tidal waters in accordance with plans by Watermark Marine Construction dated January 26, 2016.

CSPA PERMIT

2015-03410 FERRANTE, EUGENIA
WINDHAM Cobbett's Pond

Requested Action:

Impact 6,480 sq. ft. to replace the existing home and septic system; lot to be made more nearly conforming by reducing impervious area coverage, installing stormwater management features, and replanting the waterfront buffer with native vegetation.

APPROVE PERMIT:

Impact 6,480 sq. ft. to replace the existing home and septic system; lot to be made more nearly conforming by reducing impervious area coverage, installing stormwater management features, and replanting the waterfront buffer with native vegetation.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Associates, Inc. dated December 2015, as revised and received by the NH Department of Environmental Services (DES) on February 17, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Stormwater technologies must be maintained in accordance with manufacturer's specifications.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V(a)(2)(D)(iv).
5. No more than 25% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock or other suitable material.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-03415 WILSON, ANDREW/MARY
MIDDLETON Sunrise Lake

Requested Action:

Impact 3,008 sq. ft. to remove a portion of the existing pavement, reconstruct dry retaining walls, extend the walkway, expand the deck and add steps, re-grade the area behind the house, install infiltration trenches, construct a catch basin and grass swale for stormwater management.

APPROVE PERMIT:

Impact 3,008 sq. ft. to remove a portion of the existing pavement, reconstruct dry retaining walls, extend the walkway, expand the deck and add steps, re-grade the area behind the house, install infiltration trenches, construct a catch basin and grass swale for stormwater management.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated December 5, 2015 as revised February 3, 2016 and

received by the NH Department of Environmental Services (DES) on February 11, 2016.

2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V(a)(2)(D)(iv).

3. No more than 27% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. At least 523 sq. ft. of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V(b)(2).

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock or other suitable material.

10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-03431 SCHIEBOUT, EMILY/RYAN
LITCHFIELD Merrimack River

Requested Action:

Request name change to Emily & Ryan Schiebout to impact 31,770 sq. ft. in order to construct a 4 bedroom house, driveway, septic system, and pool on a vacant lot.

APPROVE NAME CHANGE:

Change name to Emily & Ryan Schiebout 581 South Beech St., Manchester, NH 03103 to impact 31,770 sq. ft. in order to construct a 4 bedroom house, driveway, septic system, and pool on a vacant lot.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated December 21, 2015 and received by the NH Department of Environmental Services (DES) on December 30, 2015.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).

4. No more than 19.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2016-00192 FOURNIER, TINA
SALEM Captain Pond

Requested Action:

Impact 6,929 sq ft in order to construct a new single family home, driveway and septic system beyond the primary building setback.

APPROVE PERMIT:

Impact 6,929 sq ft in order to construct a new single family home, driveway and septic system beyond the primary building setback.

With Conditions:

1. All work shall be in accordance with revised plans by Meisner Brem Corporation dated February 17, 2016 and received by the NH Department of Environmental Services (DES) on February 17, 2016.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 2,864 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2016-00199 ALTON DG LLC
ALTON Merrymeeting Lake

Requested Action:

Impact 18,885 sq ft in order to construct a Dollar General retail store and associated site improvements.

APPROVE PERMIT:

Impact 18,885 sq ft in order to construct a Dollar General retail store and associated site improvements.

With Conditions:

1. All work shall be in accordance with plans by Bohler Engineering dated December 29, 2015 and received by the NH Department

of Environmental Services (DES) on January 20, 2016.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 70.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2016-00202 EAST SHORE CAMP LLC
FRANCESTOWN Pleasant Pond

Requested Action:

Impact 6,400 sq ft in order to raze an existing conforming seasonal dwelling and reconstruct, within and beyond the existing footprint, a new seasonal dwelling within the natural woodland buffer zone of the protected shoreland. No part of the existing or proposed development shall impact the waterfront buffer. All associated impacts are relative to excavating, re-grading and general construction practices.

APPROVE PERMIT:

Impact 6,400 sq ft in order to raze an existing conforming seasonal dwelling and reconstruct, within and beyond the existing footprint, a new seasonal dwelling within the natural woodland buffer zone of the protected shoreland. No part of the existing or proposed development shall impact the waterfront buffer. All associated impacts are relative to excavating, re-grading and general construction practices.

With Conditions:

1. All work shall be in accordance with plans by TODD Land Use Consultants dated January 7, 2016 and received by the NH Department of Environmental Services (DES) on January 20, 2016.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 9.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,620 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2016-00203 CANAAN DG LLC
CANAAN Indian River

Requested Action:

Impact 21,750 sq ft in order to construct a Dollar General retail store with associated improvements.

APPROVE PERMIT:

Impact 21,750 sq ft in order to construct a Dollar General retail store with associated improvements.

With Conditions:

1. All work shall be in accordance with plans by Bohler Engineering dated November 5, 2015 and received by the NH Department of Environmental Services (DES) on January 20, 2016.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 58% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2016-00211 WILLIAM T MARCONI REVOCABLE TRUST
PORTSMOUTH Piscataqua River

Requested Action:

Impact 14,240 sq ft in order to replace existing dwelling with an addition to the garage, relocate existing driveway, and add a pervious patio with associated pervious walkway.

APPROVE PERMIT:

Impact 14,240 sq ft in order to replace existing dwelling with an addition to the garage, relocate existing driveway, and add a pervious patio with associated pervious walkway.

With Conditions:

1. All work shall be in accordance with revised plans by Ambit Engineering Engineering, Inc. dated February 9, 2016 and received by the NH Department of Environmental Services (DES) on february 18, 2016.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 12.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

UTILITY NOTIFICATION

2016-00402 EVERSOURCE
EPPING Unnamed Wetland

Conservation Commission/Staff Comments:
See file 2016-00005 for fee amount.

